

§ 216.5

to this section may be revoked, suspended, amended or restricted without hearing.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743 (49 U.S.C. 1324); Reorganization Plan No. 3 of 1961, 75 Stat. 837, 26 FR 5989 (49 U.S.C. 1324 (note)))

[ER-525, 33 FR 692, Jan. 19, 1968, as amended by ER-910, 40 FR 23844, June 3, 1975; ER-1060, 43 FR 34117, Aug. 3, 1978]

§ 216.5 Existing permits.

"Foreign aircraft permits" issued by the Board under the provisions of part 375 of the Board's Special Regulations, authorizing the combined carriage of blind sector traffic as defined in this part, shall continue in effect in accordance with their terms until their expiration date unless sooner terminated, revoked or modified by the Board. Such permits shall, upon the effective date of this part, be deemed to constitute a Special Authorization issued pursuant to § 216.4.

§ 216.6 Existing unauthorized operations.

Notwithstanding the provisions of § 216.3, if within 30 days after the effective date of this part a carrier files an application for a Special Authorization to continue to perform existing blind sector operations which have been regularly performed by such carrier commencing on a date prior to August 9, 1967, such carrier may continue to engage in such blind sector operations until final decision by the Board on such application: *Provided*, That any such application shall, in addition to the requirements of § 216.4(a), contain a statement that the carrier is relying upon this section for continuance of preexisting blind sector operations, and shall fully describe such operations including the date inaugurated, and the frequency and continuity of performance.

PART 217—REPORTING TRAFFIC STATISTICS BY FOREIGN AIR CARRIERS IN CIVILIAN SCHEDULED, CHARTER, AND NON-SCHEDULED SERVICES

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AUTHORITY: 49 U.S.C. 329 and chapters 401, 413, 417.

SOURCE: 53 FR 46294, Nov. 16, 1988, unless otherwise noted.

§ 217.1 Definitions.

As used in this part:

Foreign Air Carrier means a non-U.S. air carrier holding a foreign air carrier permit or exemption authority from the Department of Transportation.

Large Aircraft means an aircraft designed to have a passenger capacity of more than 60 seats or a payload of more than 18,000 pounds.

Small Aircraft means an aircraft that is not a large aircraft.

Statement of Authorization under this part means a statement of authorization from the Department, pursuant to 14 CFR part 207, 208, or 212, as appropriate, that permits joint service transportation, such as blocked space agreements, part-charters, code-sharing or wet-leases, between two direct air carriers holding underlying economic authority from the Department.

§ 217.2 Applicability.

This part applies to foreign air carriers that are authorized by the Department to provide civilian passenger and/or cargo scheduled, nonscheduled and charter services to or from the United States, whether performed pursuant to a permit or exemption authority. Operations conducted wholly with small aircraft are exempt from the requirements of this part. Where the service operations involve both large and small aircraft, only the large aircraft services must be reported.

§ 217.3 Reporting requirements.

(a) Each foreign air carrier shall file BTS Form 41 Schedule T-100(f) "Foreign Air Carrier Traffic Data by Non-stop Segment and On-flight Market." All traffic statistics shall be compiled